

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,
vs.

KELCEY JAMES MORSETTE,

Defendant.

CR-20-34-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on February 7, 2024. (Doc. 67.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on February 6, 2024. (Doc. 61.) The United States accused Kelcey James Morsette (Morsette) of violating his conditions of supervised release 1) by consuming alcohol; 2) by using methamphetamine; and 3) by failing to notify his probation officer of a change in residence. (Doc. 58.)

At the revocation hearing, Morsette admitted to having violated the conditions of his supervised release 1) by consuming alcohol; and 2) by using methamphetamine. The government satisfied its burden of proof with respect to alleged violation 3. (Doc. 61.) Judge Johnston found that the violations Morsette admitted are serious and warrants revocation of his supervised release and recommends a sentence of 9 months, with no supervised release to follow. (Doc. 67.) Morsette was advised of his right to appeal and allocute before the undersigned. (Doc. 61.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 67) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Kelcey James Morsette be sentenced to the Bureau of Prison for 9 months with no supervised release to follow.

DATED this 22nd day of February, 2024.



Brian Morris, Chief District Judge
United States District Court